III. REMARKS

Claims 1-25 are pending in this application. By this amendment, claims 1, 19, 21, 22, 24 and 25 have been amended. Claim 26 has been added. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claim 25 is rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Claim 25 is also rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Claim 22 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Beauchamp (U.S. Patent No. 6,621,505), hereafter "Beauchamp." Claim 25 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Butts (U.S. Patent No. 5,754,830), hereafter "Butts," in view of Zarrin (U.S. Patent No. 6,128,731), hereafter "Zarrin." Claims 1-10, 12-15, 17-21 and 23-24 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Beauchamp in view of Zurick "Design Pattern," hereafter "Zurick." Claim 11 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Beauchamp in view of Zurick and further in view of Hoffmann (U.S. Patent No. 6,728,769) hereafter "Hoffman." Claim 16 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Beauchamp in view of Zurick and further in view of Butts.

With regard to newly added independent claim 26, Applicant submits that the cited

references do not teach or suggest each and every feature of the claimed invention. Accordingly,

Applicant submits that the claim is in condition for allowance.

A. REJECTION OF CLAIM 25 UNDER 35 U.S.C. §112

The Office has asserted that claim 25 is indefinite for failing to particularly point out and

distinctly claim the subject matter which applicant regards as the invention. In response,

Applicant has amended claim 25 to recite "...wherein a state of the legacy computer application

is preserved between a session of the client and a later session of the client." Applicant asserts

that this amendment further clarifies the invention. Accordingly, Applicant requests that the

rejection be withdrawn.

The Office has further asserted that claim 25 fails to comply with the enablement

requirement by containing subject matter which was allegedly not described in the specification

in such a way as to enable one skilled in the art to which it pertains or with which it is most

nearly connected, to make and/or use the invention. Specifically, the examiner states that it

"...could not find anywhere in the specification disclosing the amended limitation 'a state of the

legacy computer is preserved between a session of the client and a later session of the client.'"

Applicant directs the Office to page 14 of the specification, which describes stateful legacy

applications and internet transactions in which "...after a transaction on the Internet is

completed, the connection to the Internet is broken and the state of the transaction is lost unless

additional processing occurs to save that state on the network server." Page 14, lines 5-12. The

specification subsequently states that "[t]his invention provides a mechanism and an environment

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whereby the state of the legacy application is automatically preserved in its native environment while it converses with the stateless web environment." Page 14, lines 12-14. Furthermore, page 20 of the specification describes one embodiment of this feature in which, "[w]hen the client submits a page, the servlet instance on the network server restores session data from a previously saved session object which has a reference to a socket or a data queue object or a message queue object." Page 20, col. 8-11. Given this disclosure, Applicant submits that claimed limitation mentioned by the Office is described in the specification in such a way as to enable one skilled in the art. Accordingly, Applicant requests withdrawal of the rejection.

B. REJECTION OF CLAIM 22 UNDER 35 U.S.C. §103(a) OVER BEAUCHAMP

With regard to the 35 U.S.C. §103(a) rejection of claim 22 over Beauchamp, Applicant asserts that Beauchamp does not teach each and every feature of the claimed invention. Specifically, with respect to claim 22, Applicant submits that Beauchamp fails to teach or suggest, *inter alia*, a non-modular application. Instead, Beauchamp describes communications between its process server and back-end systems. Col. 20, lines 1-3. However, Beauchamp never teaches or suggests that applications on these systems are non-modular. In contrast, the present invention includes "...a non-modular application." Claim 22. As such, the application of the claimed invention is not merely an unspecified application on a back-end system as in Beauchamp, but instead is non-modular. Thus, the non-modular application as included in the claimed invention is not equivalent to the Beauchamp back-end system. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

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With further respect to independent claim 22, Applicant asserts that Beauchamp fails to teach or suggest, *inter alia*, the real-time data being in a format not suitable for display on a network. Specifically, Beauchamp teaches defining computer processes as a series of steps using predefined, standardized user interface screens. Col. 4, lines 23-26. However, Beauchamp never teaches that the real-time data from the computer processes is in a format not suitable for display on a network. The claimed invention, in contrast, includes "...the real-time data being in a format not suitable for display on a network." Claim 22. As such, the real-time data of the claimed invention does not merely consist of generic computer processes as in Beauchamp, but instead is in a format not suitable for display on a network. Thus, the real-time data of the claimed invention is not taught or suggested by the computer processes of Beauchamp. Accordingly, Applicant requests withdrawal of the Office's rejection.

With still further respect to independent claim 22, Applicant asserts that Beauchamp fails to teach or suggest that the data objects are configured to be used by other applications on the network. Instead, Beauchamp simply teaches using predefined, standardized user interface screens to define computer processes as a series of steps. Col. 4, lines 23-26. Nowhere does Beauchamp teach that the data in the user interface screens is configured to be used by other applications. The claimed invention, in contrast, includes "...wherein the data objects are configured to be used by other applications on the network." Claim 22. As such, the data objects of the claimed invention are not merely displayed in standardized user interface screens as in Beauchamp, but instead are configured to be used by other applications on the network. Thus, the data objects of the claimed invention are not taught or suggested by the standardized user

interface screens of Beauchamp. Accordingly, Applicant requests withdrawal of the Office's rejection.

With still further respect to independent claim 22, Applicant asserts that Beauchamp fails to teach or suggest a request. The Office admits that Beauchamp does not explicitly teach the request but states that "[i]t would have been obvious to on of ordinary skill in the art at the time the invention was made to recognize that the data would act as a request." This unsubstantiated factual statement by the Office amounts to Official Notice. Applicant asserts that the Office's factual assertion is not properly based upon common knowledge. Accordingly, Applicant respectfully requests that the Office support the finding with references that show these features or withdraw the rejection.

C. REJECTION OF CLAIM 25 UNDER 35 U.S.C. §103(a) OVER BUTTS IN VIEW OF ZARRIN

With regard to the 35 U.S.C. §103(a) rejection of claim 25 over Butts in view of Zarrin, Applicant asserts that there is no motivation or suggestion to modify or combine the Butts and Zarrin references. Specifically, Butts teaches an emulator, wherein "[w]eb/emulator server downloads applet code to client system." Col. 4, lines 63-64. However, Zarrin teaches away from this type of "software based emulation" by stating that "[t] he problem with this solution is that it is too slow." Col. 3, lines 12-26. As such, this teaching away by Zarrin eliminates any motivation or suggestion to combine it with Butts.

Furthermore, Butts and Zarrin are in different fields of endeavor, and, as such, the problem solved by Zarrin is not applicable to Butts. The passage of Zarrin cited by the Office teaches initializing a PC AT compatibility model that is "...used to maintain a 'state' of an

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emulated IBM-compatible machine." Col. 12, lines 38-44. However, the Zarrin environment is

that of a single IBM-compatible machine. Col. 4, lines 15-24. Nowhere does Zarrin teach or

suggest that this PC AT compatibility model would be functional in the multiple machine client-

server environment of Butts. In fact, it is not readily apparent that the Zarrin PC AT

compatibility model would function in the Butts environment. As such, the Office has failed to

prove a *prima facie* case of obviousness. Accordingly, Applicant requests that the Office

withdraw its rejection.

Applicant also asserts that combined features of the cited references fail to teach or

suggest each and every feature of the claimed invention. Specifically, with respect to claim 25,

Applicant submits that, contrary to the Office's assertion, Zarrin fails to teach or suggest, *inter*

alia, that a state of the legacy computer application is preserved between a session of the client

and a later session of the client. The Office admits that Butts does not explicitly teach this

feature. Office Action, page 5. Instead, the Office relies on the PC AT compatibility model of

Zarrin, which is "...used to maintain a 'state' of an emulated IBM-compatible machine." Col.

12, lines 38-44. However, the Zarrin PC AT compatibility model functions on a single machine

and is not accessed by a client machine on a network. Col. 4, lines 15-24. Furthermore, as the

machine in Zarrin is a single machine, there is no breaking of connections that require multiple

sessions as in an Internet environment. As such, the PC AT compatibility model of Zarrin does

not preserve a state of an application on a legacy computer between a session of a client and a

later session of the client. In contrast, the claimed invention includes "...wherein a state of the

legacy computer application is preserved between a session of the client and a later session of the

client." Claim 25. As such, unlike the single computer system of Zarrin, the state information of

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the legacy computer application of the claimed invention is preserved between sessions of a

client. Furthermore, the state of the legacy computer application is not merely maintained as is

the "state" in a single computer environment such as the PC AT compatibility model of Zarrin,

but instead is preserved between a session of the client and a later session of the client. Thus, the

PC AT compatibility model of Zarrin is not equivalent to the claimed invention, in which, *inter*

alia, the state of the legacy computer is preserved between a session of the client and a later

session of the client. Accordingly, Applicant respectfully requests that the rejection be

withdrawn.

D. REJECTION OF CLAIMS 1-10, 12-15, 17-21 and 23-24 UNDER 35 U.S.C. §103(a) OVER BEAUCHAMP IN VIEW OF ZURICK

With regard to the 35 U.S.C. §103(a) rejection of claims 1-10, 12-15, 17-21 and 23-24

over Beauchamp in view of Zurich, Applicant submits that the features of the cited references fail

to teach each and every feature of the claimed invention. For example, with respect to

independent claims 1, 19, 21 and 24, as argued above with respect to independent claim 22, the

cited references fail to teach or suggest that the data objects are configured to be used by other

applications on the first network. Accordingly, Applicant respectfully requests that the Office

withdraw its rejection.

With further respect to independent claims 1, 19, 21 and 24, Applicant respectfully

submits that there is no motivation or suggestion to combine the Beauchamp and Zurich

references. Specifically, the problem that Beauchamp seeks to solve is to remove unneeded

functions in the various applications needed for a particular task. Col. 1, line 61 through col. 21

line 14; col. 3, line 61 through col. 4, line 10. Accordingly, the stated motivation for the

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Beauchamp invention is to provide a limited number of standardized user-interface screens for carrying out any of a predefined class of activities. As such, the user-interface screens of Beauchamp are simple and few in number and a large number of screens would be contrary to its stated purpose. In contrast, the Office asserts that the design patterns of Zurich would provide structural patterns to communicate between two incompatible interfaces from two platforms. However, Beauchamp does not use incompatible platforms, only standardized user interface screens. Furthermore, the design patterns of Zurich are in opposition to the limited simple user-interface screens of Beauchamp. Thus, there is no motivation or suggestion to combine the references. Accordingly, Applicant requests that the rejection be withdrawn.

With regard to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to independent claims listed above. In addition, Applicant submits that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

D. REJECTION OF CLAIM 11 UNDER 35 U.S.C. §103(a) OVER BEAUCHAMP IN VIEW OF ZURICH AND HOFFMAN AND OF CLAIM 16 UNDER 35 U.S.C. §103(a) OVER BEAUCHAMP IN VIEW OF ZURICH AND BUTTS

With regard to the 35 U.S.C. §103(a) rejections of claim 11 over Beauchamp in view of Zurich and Hoffman and of claim 16over Beauchamp in view of Zurich and Butts, Applicant submits that the combined features of the cited art fail to teach each and every feature of the claimed invention. Specifically, with respect to these dependent claims, Applicant herein
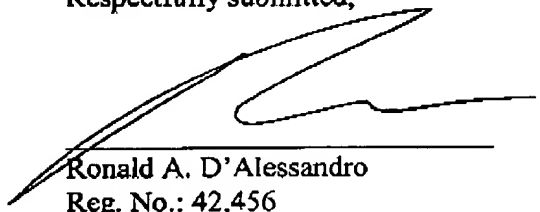
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incorporates the arguments presented above with respect to the independent claims from which

they. Furthermore, Applicant submits that all dependant claims are allowable based on their own

distinct features. Since the cited art does not teach each and every feature of the claimed

invention, Applicant respectfully requests withdrawal of this rejection.

IV. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for

allowance. Should the Examiner require anything further to place the application in better

condition for allowance, the Examiner is invited to contact Applicant's undersigned

representative at the number listed below.

Respectfully submitted,

Date: April 11, 2005

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